"(f) DEFINITIONS.—For purposes of this section:
"(1) The term 'counter-drug activities' includes the use of National Guard personnel, while not in Federal service, in any law enforcement activities authorized by State and local law and requested by the Governor.
"(2) The term 'Governor of a State' means, in the case of the District of Columbia, the Commanding General of the National Guard of the District of Columbia.
"(3) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States/'.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"**112. Drug interdiction and counter-drug activities.**".

(b) CONFORMING REPEAL.—Section 1105 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100-456; 102 Stat. 2047), is repealed.

10 USC 374 note.

10 USC 372 note.

SEC. 1208. TRANSFER **OF** EXCESS PERSONAL PROPERTY

(a) TRANSFER AUTHORIZED.—(1) Notwithstanding any other provision of law and subject to subsection (b), the Secretary of Defense may transfer to Federal and State agencies personal property of the Department of Defense, including small arms and ammunition, that the Secretary determines is—

(1) suitable for use by such agencies in counter-drug activities; and

(2) excess to the needs of the Department of Defense.

(3) Personal property transferred under this section may be transferred without cost to the recipient agency.

(4) The Secretary shall carry out this section in consultation with the Attorney General and the Director of National Drug Control Policy.

(b) CONDITIONS FOR TRANSFER.—The Secretary may transfer personal property under this section only if—

(5) the property is drawn from existing stocks of the Department of Defense; and

(6) the transfer is made without the expenditure of any funds available to the Department of Defense for the procurement of defense equipment.

(c) APPLICATION.—The authority of the Secretary to transfer personal property under this section shall expire on September 30, 1992.

SEC 1209. CIVIL AIR PATROL

To the extent funds are available under section 1201(0), the Secretary of Defense shall pay for expenses incurred by the Civil Air Patrol in conducting drug surveillance flights.

SEC. 1210. OPERATION OF EQUIPMENT USED TO TRANSPORT CIVILIAN LAW ENFORCEMENT PERSONNEL

Section 374(b)(2)(E) of title 10, United States Code, is amended by striking out ", the Attorney General" and all that follows through "outside the land area of the United States" and inserting in lieu thereof "and the Attorney General (and the Secretary of State in the case of a law enforcement operation outside of the land area of the United States)".